

### § 207.3

Total Trade Route By Outbound Liner  
Total Trade Route By Inbound Non-Liner  
Total Trade Route By Outbound Non-Liner  
Total Trade Route By Inbound Tanker  
Total Trade Route By Outbound Tanker

<sup>4</sup>19\_ Census Trade Data—The data base for this report is the Census Annual Commodity Movements. The report was formerly known as Table 44B.

<sup>5</sup>Total Trade Route By Coastal District By Inbound Liner—At the end of the data for each coastal district a total is provided for the category; other categories for the report are:

Total Trade Route By Coastal District By Outbound Liner  
Total Trade Route By Coastal District By Inbound Non-Liner  
Total Trade Route By Coastal District By Outbound Non-Liner  
Total Trade Route By Coastal District By Inbound Tanker  
Total Trade Route By Coastal District By Outbound Tanker

<sup>6</sup>Total Trade Route By Coastal District By Foreign Country By Inbound Liner—At the end of the data for each foreign country a total is provided for the category; other categories for the report are:

Total Trade Route By Coastal District By Foreign Country By Outbound Liner  
Total Trade Route By Coastal District By Foreign Country By Inbound Non-Liner  
Total Trade Route By Coastal District By Foreign Country By Outbound Non-Liner  
Total Trade Route By coastal district By Foreign Country By Inbound Tanker  
Total Trade Route By Coastal District By Foreign Country By Outbound Tanker

<sup>7</sup>19\_ MARAD Liner Foreign Trade Data—The data base for this report is the MARAD Foreign Trade System. This System contains liner information only and is collected from MA Forms 721/722.

<sup>8</sup>Total Trade Route By Coastal District By Foreign Country—A total is provided at the end of each foreign country.

<sup>9</sup>Total Trade Route By Coastal District—A total is provided at the end of each coastal district for all foreign countries.

<sup>10</sup>Total Trade Route—A total is provided at the end of each trade route for all coastal districts.

<sup>11</sup>19\_ MARAD Containerized Foreign Trade Data—The data base for this report is the MARAD Container System. This system contains information collected from MA Forms 578A for any vessel carrying ten or more containers.

<sup>12</sup>19\_ MARAD Sailings Foreign Trade Data—The data base for this report is the MARAD Foreign Trade System. This system contains liner information only and is collected from MA Forms 721/722.

<sup>13</sup>Sailings—The actual number of “Outbound” and “Inbound” sailings made by ves-

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sels of specific flags of registration on a specific trade route is provided. A sailing constitutes an initial entrance to or a final clearance from the United States of a vessel.

<sup>14</sup>Total Sailings By Trade Route—A total is provided at the end of each trade route.

<sup>15</sup>Total Sailings—A total is provided at the end for all trade routes.

(b) *Time frame of data and reports provided.* The basic statistical data and reports provided by this part will be for the most recent three full calendar years for which such data is available in final form on the date the Board issues its referral order for a hearing on any ODS application. No preliminary data and no data for parts of a calendar year will be provided under this part. Any request for preliminary data or data for any part of a calendar year should be made under subpart A of part 206 of this subchapter. Data requested for any calendar year more recent than the three years described in this paragraph should also be made under subpart A of part 206 of this subchapter.

(c) *Confidentiality.* The original sources of basic statistical data furnished under this part are “business confidential” and data shall not be supplied in such form as to permit competitors to extrapolate the data supplied by the original sources to the Maritime Administration and, thereby, determine the carryings of individual competitors. Appropriate written waivers of confidentiality from persons supplying data will be accepted and honored by the Maritime Administration to the extent practicable in the preparation of statistical data and reports under this part.

### § 207.3 Procedures.

(a) *Request.* The procedures for production of basic statistical data and reports under this part may be initiated only by the written request of a party to a hearing under section 605(c) of the Act in connection with an ODS application. The term “party” includes the applicant, Public Counsel, and any other person whose petition to intervene has been granted. The request shall identify the specific format of data sought according to the report numbers listed in § 207.2 of this part and shall state the trade routes or

trade areas covered by the ODS application and identified by the Board in its section 605(c) notice as published in the FEDERAL REGISTER. The letter requesting data and reports should be addressed to the Chief, Division of Trade Studies and Statistics (Code M-522), Maritime Administration, U.S. Department of Transportation, Room 4075, 14th and E Streets NW., Washington, DC 20590. Concurrently, the requesting party shall furnish a copy of the request to the presiding Administrative Law Judge (for inclusion in the correspondence section of the official docket) and to each other party to the hearing.

(b) *Determination of data and reports.* The Chief, division of Trade Studies and Statistics, shall review and define the basic statistical data and reports applicable to a party's request, with special attention to §207.2(c) of this part, and promptly take all necessary steps to effect production. He shall expeditiously notify the requesting party, with a copy to all other parties and to the presiding Administrative Law Judge (for inclusion in the correspondence section of the official docket), as follows: the basic statistical data and reports being produced; and the schedule for distribution thereof to the parties and to the presiding Administrative Law Judge.

(c) *Transmission of data package.* Once the Chief, Division of Trade Studies and Statistics, has assembled the basic statistical data and reports, he shall promptly transmit them to:

(1) The requesting party (one copy);

(2) Public Counsel (one copy);

(3) Each other party (one copy each); and

(4) The presiding Administrative Law Judge (two copies: one copy of which shall be received into evidence in the hearing docket, pursuant to §201.132(g) of this subchapter, and the other copy of which shall be for the personal use of the presiding Administrative Law Judge).

(d) *Dispute as to scope of data and reports.* If any party to the hearing disputes the scope of data and reports to be produced as defined in the notice issued by the Chief, Division of Trade Studies and Statistics, review by the Director, Office of Subsidy Administration, may be obtained by such party through filing of a written request for review with the Director, Office of Subsidy Administration. Concurrently, the requesting party shall furnish a copy of the request to the presiding Administrative Law Judge (for inclusion in the correspondence section of the official docket) and to each other party to the hearing. On the basis of the request for review, and such comments as any other party to the hearing may have filed within ten (10) days of the date on the request, the Director, Office of Subsidy Administration, shall determine the proper scope of the basic statistical data and reports to be produced. The determination shall be final. A copy of the determination shall be furnished to each party and to the presiding Administrative Law Judge (for inclusion in the correspondence section of the official docket).